

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Previous Group Art Unit: 3731
RICHARD GINN) Previous Examiner: Gary Jackson
Serial No.: Not Yet Assigned)
Filed: Herewith (December 12, 2003))
For: Apparatus and Methods for Sealing)
Vascular Punctures)

INFORMATION DISCLOSURE STATEMENT

MAIL STOP IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement (“IDS”) are brought to the attention of the Office. The items are listed on the attached form PTO-1449. This is a continuation application and the items identified in this application were previously submitted under Application Serial No. 09/866,548 filed on May 25, 2001. Thus, no copies of the cited references are enclosed.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to the MAIL STOP IDS Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No.: : EV 339738016 US
Date of Deposit: December 12, 2003
DOCSOC1:145545.1
704117-1 J2G

Lynne Fulmer
Lynne Fulmer

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required. Thus, no copies of the cited references are enclosed.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

Patent
Orrick Docket: 704117.4007

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

A check in the amount of _____ is enclosed for the above fee(s).

Please charge \$0.00 to Deposit Account No. 150665 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe LLP's Deposit Account No. 150665.

Respectfully submitted,

ORRICK HERRINGTON & SUTCLIFFE LLP

Dated: December 12, 2003

By:


James W. Geriak, Reg. No. 20,233

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949/567-6700 Telephone
949/567-6710 Facsimile

FORM PTO-1449

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

ATTY. DOCKET NO.
704117.4007SERIAL NO.
Not Yet Assigned

APPLICANT:

Richard Ginn

FILING DATE:
Herewith (12/12/2003)GROUP:
3731

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		5,032,125	7/6/1991	Durham et al.			
		5,061,274	10/29/1991	Kensey			
		5,292,332	3/1994	Lee			
		5,425,757	6/20/1995	Tiefenbrun et al.			
		5,571,181	11/5/1996	Li			
		5,645,565	7/8/1997	Rudd et al.			
		5,728,116	3/17/1998	Rosenman			
		6,016,806	1/25/2000	Webb			
		6,082,362	7/4/2000	Webb			
		6,296,657	10/2/2001	Brucker			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		287,046	10/23/1883	Norton			
		2,969,887	1/31/1961	Darmstadt, et al.			
		3,015,403	1/2/1962	Fuller			

DOCSOC1:137705.1
704117-17 J2GEXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

Information Disclosure Statement – Section 9 PTO-1449

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
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(Use several sheets if necessary)

ATTY. DOCKET NO. 704117.4007	SERIAL NO. Not Yet Assigned
APPLICANT: Richard Ginn	
FILING DATE: Herewith (12/12/2003)	GROUP: 3731

	3,944,114	3/16/1976	Coppens				
	4,525,157	6/25/1985	Vaillancourt				
	4,738,658	4/19/1988	Magro, et al.				
	4,744,364	5/17/1988	Kensey				
	4,852,568	8/1/1989	Kensey				
	4,878,915	11/7/1989	Brantigan				
	5,015,247	5/14/1991	Michelson				
	5,021,059	6/4/1991	Kensey, et al.				
	5,061,274	10/29/1991	Kensey				
	5,114,032	5/19/1992	Laidlaw				
	5,192,301	3/9/1993	Kamiya, et al.				
	5,192,302	3/9/1993	Kensey, et al.				
	5,222,974	6/29/1993	Kensey, et al.				
	5,275,616	1/4/1994	Fowler				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

M. Saines, PCT Publication No. WO 00/71032 A2, "Hemostatic Device for Angioplasty", November 30, 2000

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	5,290,310	3/1/1994	Makower, et al.			
	5,306,254	4/26/1994	Nash, et al.			
	5,320,639	6/14/1994	Rudnick			
	5,334,216	8/2/1994	Vidal, et al.			
	Re. 34,866	2/21/1995	Kensey, et al.			
	5,411,520	5/2/1995	Nash, et al.			
	5,486,195	1/23/1996	Myers, et al.			
	5,522,840	6/4/1996	Krajicek			
	5,645,565	7/8/1997	Rudd, et al.			
	5,690,674	11/25/1997	Diaz			
	5,728,122	3/17/1998	Leschinsky, et al.			
	5,871,474	2/16/1999	Hermann, et al.			
	5,871,501	2/16/1999	Leschinsky, et al.			
	5,871,525	2/16/1999	Edwards, et al.			

FOREIGN PATENT DOCUMENTS

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DOCSOC1:137705.1

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